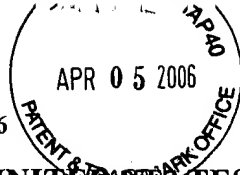


Docket No. 114944-00106



AF/AMW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Ron Pinkus

GAU: 3627

Serial No: 09/740,808

Examiner: Andrew J. Fischer

Filed: December 21, 2000

For: AUTOMATIC PAYMENT METHOD USING RFID TAGS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☒ No additional fee is required
- ☐ This application qualifies for small entity status. 37 C.F.R. §1.27.
- ☐ Additional documents filed herewith:

Claims	Claims Remaining	Highest Number Prev. Paid		Number of Extra Claims	Rate	Fee
Total	13	20	-20	0	\$50	\$0.00
Independent	3	3	-3	0	\$200	\$0.00
<input type="checkbox"/> Multiple Dependent Claims					\$360	\$0.00
TOTAL OF ABOVE CALCULATIONS						\$0.00
<input type="checkbox"/> Reduction by 50% for filing by Small Entity						\$0.00
<input type="checkbox"/> Recordation of Assignment					\$40.00	\$0.00
TOTAL						\$0.00

- ☐ A check in the amount of _____ is attached.

- Please charge any additional Fees for the papers being filed herewith and for which no check is enclosed
- ☒ herewith, or credit any overpayment to deposit Account No. 23-2185. A duplicate copy of this sheet is enclosed.

- If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby
- ☒ made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 23-2185. A duplicate copy of this sheet is enclosed.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Patent Application No. 09/740,808)	
)	
Filed: December 21, 2000)	Art Unit: 3627
)	
Confirmation No.: 6423)	Examiner: Andrew J. Fischer
)	
Inventor: Ron Pinkus)	Atty. Docket No.: 114944-00106
)	
Title: AUTOMATIC PAYMENT)	
METHOD USING RFID TAGS)	

RESPONSE TO FINAL REJECTION

Mail Stop AF

Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

Sir:

In response to the Final Rejection mailed January 5, 2006, the Applicant, through undersigned counsel, respectfully responds as follows.

The Applicant respectfully traverses the rejection of claims 1-10, 12 and 13 under 35 U.S.C. § 112, first paragraph, and submits that the specification conveys to one skilled in the art that the inventor, at the time the application was filed, had possession of the claimed invention. The claim language which is supposedly new matter does not have to be found in the specification in those exact words to satisfy that standard. Instead, the originally filed specification on page 7 discloses vehicle presence detector sensors 111 and 113, which are shown in originally filed Figure 1. On page 10, a process is disclosed which involves a step of determining whether a vehicle has been detected, as illustrated in Fig. 4. One skilled in the art would have understood from the above that automatic detection was meant, especially in light of the placement of the sensors in Fig. 4, which would plainly have been meant for a situation in which the vehicle is detected automatically rather than a situation in which the user presents the tag while on foot.